

#65909-3-104  
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 GILROY, POLICE CHIEF DENISE TURNER,  
 CAPTAIN SCOT SMITHEE, OFFICER  
 RODRIGUEZ, SERGEANT WES STANFORD,  
 OFFICER JAQUEZ, OFFICER HEATH

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

ESTATE OF GURMIT SINGH, et	)	Case No. C09-00740 EJD
al.	)	
	)	<b>JOINT REQUEST, STIPULATION,</b>
Plaintiffs,	)	<b>AND <del>PROPOSED</del> ORDER SETTING</b>
	)	<b>CASE MANAGEMENT CONFERENCE</b>
vs.	)	
	)	
CITY OF GILROY, et al.,	)	Complaint Filed: 2/19/09
	)	Trial Date: 9/13/11
Defendants.	)	
	)	<b>[JURY TRIAL DEMANDED]</b>

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TO: THE HONORABLE EDWARD J. DAVILA:

All parties hereto, through their respective counsel, request that the Court set this matter for a Case Management Conference on Friday, July 15, 2011, at 10:00 a.m. This case is currently set for jury trial scheduled to commence on September 13, 2011, but the Pre-Trial Conference date that was set for August 29, 2011, has been vacated by the reassignment orders, and all interim deadline dates have been vacated as well. The parties filed a Joint Case Management Statement on May 5, 2011, as required by the Court, seeking clarification of the issues herein, but received no Case

1 Management Order from the Court. Further, counsel has been  
2 advised, by Court staff, that criminal cases have received  
3 preferential trial setting on Judge Davila's docket through the  
4 remainder of 2011.

5 Therefore counsel and the parties wish to resolve, with the  
6 Court, the apparent discrepancies in the current case scheduling  
7 orders, and wish to assure an appropriate setting of the jury trial  
8 in this matter, for a date certain.

9 RESPECTFULLY SUBMITTED,

10 Date: June 28, 2011 CASPER, MEADOWS, SCHWARTZ & COOK

11  
12 / Signed /

13 BY: ANDREW C. SCHWARTZ  
14 Attorneys for Plaintiff,  
ESTATE OF GURMIT SINGH, et al.

15 Date: June 28, 2011 BURTON, SCHMAL & DiBENEDETTO, LLP

16  
17 / Signed /

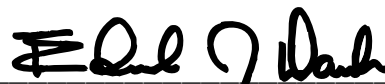
18 BY: TIMOTHY J. SCHMAL  
19 BURLEIGH E. SABIN  
20 Attorneys for Defendants,  
CITY OF GILROY, POLICE CHIEF DENISE  
21 TURNER, CAPTAIN SCOT SMITHEE, SERGEANT  
22 STANFORD, OFFICER RODRIGUEZ, OFFICER  
23 JAQUEZ, and OFFICER HEATH.

24 **ORDER**

25 This case is hereby set for a Case Management Conference on  
26 Friday, July 15, 2011, at 10:00 a.m., in the San Jose Courthouse,  
27 Courtroom 1, 5th Floor, 280 South 1st Street, San Jose.

28 IT IS SO ORDERED.

Date: June 30, 2011



THE HONORABLE EDWARD DAVILA,  
JUDGE OF THE U.S. DISTRICT COURT.